

STAND. COM. REP. NO. 3021

Honolulu, Hawaii

MAR 23 2016

RE: H.B. No. 1585
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1585, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO GUARDIANSHIP,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit a guardian of an incapacitated adult ward from restricting the personal communication rights of the ward unless the guardian deems that personal communication rights pose a risk to the safety or well-being of the ward.

Your Committee received testimony in support of this measure from the Judiciary, Catherine Falk Organization, and two individuals.

Your Committee finds that the lives of incapacitated adult wards are enriched through personal visits, phone calls, and mail from family members and friends, and this type of personal communication is important for the physical and mental health of adult wards. However, your Committee also recognizes that some personal communication may be harmful to a ward's financial security or emotional well-being. This measure seeks to balance the rights of wards to engage and communicate with others and the duty of guardians to protect the wards' health, safety, and welfare.



Your Committee has amended this measure by inserting an effective date of January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1585, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1585, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



